IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 25380 of 2004

Between:

Karidla Krishna Reddy, S/o. K. Rama Swamy Reddy, occu: Driver, E.No.105915, APSRTC, C/o. I.P. Joel General Secretary & rep. for the Workmen & APSRTC, Employees & Workers Union, Reg.No.H-10, Door No. 11-4-288, Chilkalguda, Sec'bad, A.P. Pin. 500 061.

..... PETITIONER

AND

1 The Depot Manager, APSRTC, Picket Bus Depot, J.B.S. Complex, Sec'bad.
2 The Enquiry Officer, (Also Known as Asst. Manager(T) Enquires, APSRTC, R.R.Region, MGBS, Complex, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue a Writ or order or direction more particularly one in the nature of Mandamus declaring that the action of the 1st respondent in refusing to supply furnish the relevant documents without giving any opportunity to the petitioner to prove that he is not guilty of the allegations of the charges of the charge sheet dt. 30.1.2004 framed against the petitioner and the 2nd respondent in conducting the enquiry illegally, arbitrary without giving the proper opportunity to the petitioner herein for his reference and defence and to face. The enquiry by examining and cross examining the alleged lady passenger, wife of Sri. J. Raju, Dy. Inspector of Control, SPP HYDERABAD and also the said Sri J. Raju, who gave the complaint, on which the charges of the charge sheet dt. 30.1.2004 has been framed against the petitioner/workman for no fault of mine(him) and by not complying the representations dt. 10.07.2004 and 10.08.2004 violating and article 14 and 15 of the Constitution of India and consequently praying that this Hon'ble Court may deem fit

and proper in the circumstances of the case. The representation dt. 10.07.2004 and 10.08.2004 have been filed as material papers p-3 and p-4.

Counsel for the Petitioner: PARTY-IN-PERSON

Counsel for the Respondents: MR. V.T.M. PRASAD

The Court at the admission stage made the following :

The Hon'ble Sri Justice

K.C. Bhanu

W.P. No. 25380of 2004

O R D E R:

The present writ petition is filed challenging the action of the 1st respondent in refusing to supply the relevant documents without giving any opportunity to the petitioner to prove his guilt.

As rightly contended by the petitioner, some of the documents are not legible so that the petitioner can give explanation to the enquiry officer. Now the copies of the documents sought by the petitioner are made available to this court and the same are given to the petitioner, who is present in the court in person.

Therefore, the writ petition is disposed of in view of the fact that the documents sought for by the petitioner are furnished to him. It is made clear that the petitioner is entitled for subsistence allowance as a matter of right during the pendency of suspension period as per the Rules of the Corporation.

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K.C. Bhanu, J.

Date: 13—12—2004.

MVB.

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Depot Manager, APSRTC, Picket Bus Depot, J.B.S. Complex, Secunderabad.
2 The Enquiry Officer, (Also Known as Asst. Manager(T) Enquires, APSRTC, R.R.Region, MGBS, Complex, Hyd.

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